

December 18, 2015

REGULAR MEETING MINUTES
ILLINOIS CIVIL SERVICE COMMISSION
December 18, 2015

I. CALL TO ORDER THE REGULAR OPEN MEETING AT 11:03 A.M. AT 160 NORTH LASALLE STREET, SUITE S-901, CHICAGO, ILLINOIS

II. PRESENT

Anita M. Cummings, Susan Moylan Krey, William A. Schroeder, and Casey Urlacher, Commissioners; Daniel Stralka, Executive Director; Andrew Barris (by telephone), Assistant Executive Director; Chris Griffin (by telephone) and Roneta Taylor (by telephone), Illinois Department of Central Management Services; Cheryl Bluhm (by telephone), Grant Hammer (by telephone) and Warren Goetsch (by telephone), Illinois Department of Agriculture; Heidi Guernsey (by telephone) and Rebecca Stone (by telephone), Illinois Department of Human Services; and Marron Mahoney, Illinois Department of Juvenile Justice.

III. APPROVAL OF MINUTES OF REGULAR OPEN MEETING HELD NOVEMBER 20, 2015

IT WAS MOVED BY COMMISSIONER CUMMINGS, SECONDED BY COMMISSIONER URLACHER, AND THE MOTION ADOPTED 4-0, TO APPROVE THE MINUTES OF THE REGULAR OPEN MEETING HELD ON NOVEMBER 20, 2015.

IV. PUBLIC COMMENT IN ACCORDANCE WITH THE OPEN MEETINGS ACT

At this time, in accordance with the Open Meetings Act and the Rules of the Civil Service Commission, Executive Director Daniel Stralka offered an opportunity for any person to address members of the Commission. Hearing no response, the meeting proceeded to the next agenda item.



December 18, 2015

V. EXEMPTIONS UNDER SECTION 4d(3) OF THE PERSONNEL CODE

A. Report on Exempt Positions from Department of Central Management Services

<u>Agency</u>	<u>Total Employees</u>	<u>Number of Exempt Positions</u>
Aging.....	144	18
Agriculture.....	335	20
Arts Council.....	12	2
Capitol Development Board.....	49	0
Central Management Services.....	1,421	120
Children and Family Services	2,598	49
Civil Service Commission	4	0
Commerce & Economic Opportunity	305	69
Commerce Commission.....	66	0
Corrections.....	11,798	98
Criminal Justice Authority	54	6
Deaf and Hard of Hearing Comm.....	6	1
Developmental Disabilities Council	9	1
Emergency Management Agency	79	6
Employment Security	1,208	32
Environmental Protection Agency.....	730	18
Financial & Professional Regulation	437	49
Gaming Board.....	172	6
Guardianship and Advocacy	100	8
Healthcare and Family Services	2,002	26
Historic Preservation Agency.....	134	15
Human Rights Commission	14	2
Human Rights Department.....	126	9
Human Services	13,356	76
Illinois Torture Inquiry Relief Commission	2	1
Independent Tax Tribunal	1	0
Insurance	255	16
Investment Board	3	2
Juvenile Justice	1,041	25
Labor	89	11
Labor Relations Board Educational	9	2
Labor Relations Board State	14	2
Law Enforcement Training & Standards Bd	19	2
Lottery.....	137	7
Military Affairs	128	3
Natural Resources	1,249	31
Pollution Control Board.....	19	2
Prisoner Review Board.....	22	0
Property Tax Appeal Board.....	33	1
Public Health.....	1,149	41
Racing Board	2	1
Revenue.....	1,620	54
State Fire Marshal	123	12
State Police	1,079	10
State Police Merit Board.....	6	2
State Retirement Systems.....	97	3
Transportation.....	2,282	0
Veterans' Affairs.....	1,385	10
Workers' Compensation Commission	120	11
TOTALS.....	46,043	880



B. Governing Rule – Section 1.142 Jurisdiction B Exemptions

- a) The Civil Service Commission shall exercise its judgment when determining whether a position qualifies for exemption from Jurisdiction B under Section 4d(3) of the Personnel Code. The Commission will consider any or all of the following factors inherent in the position and any other factors deemed relevant to the request for exemption:
 - 1) The amount and scope of principal policy making authority;
 - 2) The amount and scope of principal policy administering authority;
 - 3) The amount of independent authority to represent the agency, board or commission to individuals, legislators, organizations or other agencies relative to programmatic responsibilities;
 - 4) The capability to bind the agency, board or commission to a course of action;
 - 5) The nature of the program for which the position has principal policy responsibility;
 - 6) The placement of the position on the organizational chart of the agency, board or commission;
 - 7) The mission, size and geographical scope of the organizational entity or program within the agency, board or commission to which the position is allocated or detailed.
- b) The Commission may, upon its own action after 30 days notice to the Director of Central Management Services or upon the recommendation of the Director of the Department of Central Management Services, rescind the exemption of any position that no longer meets the requirements for exemption set forth in subsection (a). However, rescission of an exemption shall be approved after the Commission has determined that an adequate level of managerial control exists in exempt status that will insure responsive and accountable administrative control of the programs of the agency, board or commission.
- c) For all positions currently exempt by action of the Commission, the Director of Central Management Services shall inform the Commission promptly in writing of all changes in essential functions, reporting structure, working title, work location, position title, position number or specialized knowledge, skills, abilities, licensure or certification.
- d) Prior to granting an exemption from Jurisdiction B under Section 4d(3) of the Personnel Code, the Commission will notify the incumbent of the position, if any, of its proposed action. The incumbent may appear at the Commission meeting at which action is to be taken and present objections to the exemption request.

(Source: Amended at 34 Ill. Reg. 3485, effective March 3, 2010)

* * *



C. Requests for 4d(3) Exemption

Executive Director Daniel Stralka reported the following:

- As to Item C, this request is for a Deputy Director at the Department of Agriculture, a position that reports to the Director. This position has agency-wide responsibilities as a policy advisor and overseer while also serving on the senior management staff. The Staff's only concern was that these responsibilities overlapped with an already exempt Chief Policy Advisor position. The agency indicated that this Chief Policy Advisor position was being abolished. With that representation, Staff recommended approval of this request. Cheryl Bluhm confirmed that the paperwork has been submitted to abolish the Chief Policy Advisor position. Commissioner Krey inquired why the agency took the steps to create a new position and submit it for an exemption when it already had a similar position available. Cheryl Bluhm responded that the agency thought it more appropriate to create a new position based on the agency's structure.
- As to Item D, this request is for a Chief Data Officer at the Bureau of Communication and Computer Services (BCCS) at the Department of Central Management Services (CMS), a position that reports to the Deputy Director of BCCS who reports to the Assistant Director of CMS who reports to the Director. This position has principal policy responsibility for a new Data Science Practice program being established in BCCS. This program will use predictive data analysis of the petabytes of information the State maintains to improve services in the areas of health care and law enforcement, for two examples. These are practices that are already in place in large companies and are now moving into the realm of government. For these reasons, Staff recommended approval of this request.
- As to Item E, this request is for a Program Manager of the Electronic Visit Verification and Individual Provider Coordination program at the Department of Human Services, a position that reports to the Bureau Chief for Home Services who reports to the Director of the Division of Rehabilitation Services who reports to the Assistant Secretary who reports to the Secretary. This position is responsible for managing the program whereby the agency monitors the geographic whereabouts of home service providers to ostensibly ensure they are serving their assigned constituents. It is presently done by telephone contacts. Since this is a program mandated by the Public Aid Code, Staff recommended approval of this request.
- As to Item F, this request is for a Quality Assurance and Research Manager at the Department of Juvenile Justice, a position that reports to the Chief of Staff who reports to the Director. This position is principally responsible for data collection and research at the agency, and also then analyzes that data and uses it to prepare a variety of reports and forecasts for the agency. These are used to evaluate the effectiveness of the agency's activities and assist in long range planning. The Department of Corrections has a very similar exempt position that performs these same activities. Staff had a minor concern over language that indicated this position also had significant fiscal responsibilities, but the agency indicated that this language was inaccurate and would be submitting a clarification to correct this.



Based on that representation, Staff recommended approval of this request. Commissioner Krey inquired whether it would be prudent to wait for the clarification before taking any action. Executive Director Stralka explained that the language at issue was confusing in that it indicated that the position had agency-wide fiscal responsibilities when these responsibilities were only for its underlying program. In addition, he noted that these responsibilities only made up 10% of the position's essential functions. Roneta Taylor added that Central Management Services would act to expedite the clarification, while Marron Mahoney committed to ensuring the clarification is done immediately.

IT WAS MOVED BY COMMISSIONER KREY, SECONDED BY COMMISSIONER URLACHER, WITH COMMISSIONER CUMMINGS ABSTAINING ON ITEM E, THE MOTION ADOPTED 4-0 TO GRANT THE EXEMPTION REQUESTS FOR THE FOLLOWING POSITIONS:

- C: Deputy Director (Agriculture)**
- D: Chief Data Officer (Central Management Services)**
- E: Manager, Home Services Electronic Visit Verification (EVV)/Individual Provider Coordination Program (Human Services)**
- F: Quality Assurance & Research Manager (Juvenile Justice)**

The following 4d(3) exemption requests were granted on December 18, 2015:

C. Illinois Department of Agriculture

Position Number	40070-11-00-000-10-01
Functional Title	Deputy Director
Incumbent	Vacant
Supervisor	Director
Location	Sangamon County

D. Illinois Department of Central Management Services

Position Number	40070-37-10-500-00-01
Division	Bureau of Communication and Computer Services (BCCS)
Functional Title	Chief Data Officer
Incumbent	Vacant
Supervisor	BCCS Deputy Director who reports to the Assistant Director who reports to the Director
Location	Cook County



E. Illinois Department of Human Services

Position Number	40070-10-41-350-00-01
Division	Rehabilitation Services
Functional Title	Manager, Home Services Electronic Visit Verification (EVV) / Individual Provider Coordination Program
Incumbent	Vacant
Supervisor	Bureau Chief, Program Services who reports to the Director, Rehabilitation Services who reports to the Assistant Secretary who in turn reports to the Secretary
Location	Sangamon County

F. Illinois Department of Juvenile Justice

Position Number	40070-27-00-001-20-01
Functional Title	Quality Assurance & Research Manager
Incumbent	Vacant
Supervisor	Chief of Staff who reports to the Director
Location	Cook County

VI. CLASS SPECIFICATIONS

A. Governing Rule – Section 1.45 Classification Plan

The Commission will review the class specifications requiring Commission approval under the Classification Plan and will approve those that meet the requirements of the Personnel Code and Personnel Rules and conform to the following accepted principles of position classification:

- a) The specifications are descriptive of the work being done or that will be done;
- b) Identifiable differentials are set forth among classes that are sufficiently significant to permit the assignment of individual positions to the appropriate class;
- c) Reasonable career promotional opportunities are provided;
- d) The specifications provide a reasonable and valid basis for selection screening by merit examinations;
- e) All requirements of the positions are consistent with classes similar in difficulty, complexity and nature of work.

B. None submitted



December 18, 2015

IT WAS MOVED BY COMMISSIONER CUMMINGS, SECONDED BY COMMISSIONER KREY, AND THE MOTION ADOPTED 4-0 TO DISAPPROVE ANY CLASS SPECIFICATIONS RECEIVED BY THE COMMISSION STAFF NOT CONTAINED IN THIS AGENDA TO ALLOW ADEQUATE STUDY.

VII. PERSONNEL RULES

A. Civil Service Commission Governing Rule – Section 1.310 Personnel Rules

The Commission has power to disapprove new rules or amendments to existing rules submitted by the Director of Central Management Services. Such proposed new rules or amendments of existing rules submitted to the Commission shall be accompanied by a report of proceedings attending the prior public hearing required by law with respect to them. If the Commission does not disapprove new rules or any amendment to existing rules within 30 days following the receipt from the Director of Central Management Services, the new rules or amendments have the force and effect of law after filing by the Director with the Secretary of State.

B. None submitted

IT WAS MOVED BY COMMISSIONER CUMMINGS, SECONDED BY COMMISSIONER SCHROEDER, AND THE MOTION ADOPTED 4-0 TO DISAPPROVE ANY AMENDMENTS TO PERSONNEL RULES RECEIVED BY THE COMMISSION STAFF BUT NOT CONTAINED IN THIS AGENDA TO ALLOW ADEQUATE STUDY.

VIII. MOTION TO CLOSE A PORTION OF THE MEETING

IT WAS MOVED BY COMMISSIONER KREY, SECONDED BY COMMISSIONER URLACHER, AND BY ROLL CALL VOTE THE MOTION ADOPTED 4-0 TO CLOSE A PORTION OF THE MEETING PURSUANT TO SUBSECTIONS 2(c)(1), 2(c)(4), AND 2(c)(11) OF THE OPEN MEETINGS ACT.

CUMMINGS	YES	KREY	YES
SCHROEDER	YES	URLACHER	YES



December 18, 2015

IX. RECONVENE THE OPEN MEETING

Upon due and proper notice the regular open meeting of the Illinois Civil Service Commission was reconvened at 160 North LaSalle Street, Suite S-901, Chicago, Illinois at 11:21 a.m.

PRESENT

Anita M. Cummings, Susan Moylan Krey, William A. Schroeder, and Casey Urlacher, Commissioners; Daniel Stralka, Executive Director; and Andrew Barris (by telephone), Assistant Executive Director.

X. NON-MERIT APPOINTMENT REPORT

Set forth below is the number of consecutive non-merit appointments made by each department as reported by Central Management Services:

Agency	10/31/15	11/30/15	11/30/14
Agriculture	4	0	0
Arts Council	0	1	0
Central Management Services	2	2	1
Children and Family Services	1	0	0
Healthcare and Family Services	3	2	2
Historic Preservation Agency	2	0	0
Human Services	12	12	2
Juvenile Justice	0	1	0
Natural Resources	9	13	5
Revenue	1	2	0
State Retirement Systems	3	1	0
Transportation	3	0	0
Workers Compensation Commission	3	1	1
Totals	43	35	11



XI. PUBLICLY ANNOUNCED DECISION RESULTING FROM APPEAL

DA-49-15

Employee	Joseph Segobiano	Appeal Date	06/02/15
Agency	Human Services	Decision Date	12/07/15
Type	Discharge	Proposal for Decision	30-day suspension plus duration of suspension pending discharge.
ALJ	Andrew Barris		

IT WAS MOVED BY COMMISSIONER CUMMINGS, SECONDED BY COMMISSIONER SCHROEDER, AND BY ROLL CALL VOTE OF 4-0 THE MOTION ADOPTED TO AFFIRM AND ADOPT THE PROPOSAL FOR DECISION OF THE ADMINISTRATIVE LAW JUDGE THAT THE PARTIALLY PROVEN CHARGES WARRANTED A 30-DAY SUSPENSION PLUS DURATION OF SUSPENSION PENDING DISCHARGE FOR THE REASONS SET FORTH IN THE PROPOSAL FOR DECISION DATED DECEMBER 7, 2015.

CUMMINGS YES KREY YES
SCHROEDER YES URLACHER YES

XII. APPEALS TERMINATED WITHOUT DECISION ON THE MERITS

DA-4-16

Employee	Ivory T. Flucas	Appeal Date	07/24/15
Agency	Children & Family Services	Decision Date	11/17/15
Appeal Type	Discharge	Proposal for Decision	Dismissed; settled.
ALJ	Daniel Stralka		

S-15-15¹

Employee	Susan L. Williams	Appeal Date	09/29/14
Agency	Revenue	Decision Date	12/07/15
Appeal Type	Suspension	Proposal for Decision	Dismissed; settled.
ALJ	Daniel Stralka		

S-28-15

Employee	Susan L. Williams	Appeal Date	12/16/14
Agency	Revenue	Decision Date	12/07/15
Appeal Type	Suspension	Proposal for Decision	Dismissed; settled.
ALJ	Daniel Stralka		

¹ On June 16, 2015 appeal S-28-15 was consolidated under S-15-15. On August 21, 2015 S-6-16 was consolidated under S-15-15.



S-6-16

Employee	Susan L. Williams	Appeal Date	08/04/15
Agency	Revenue	Decision Date	12/07/15
Appeal Type	Suspension	Proposal for Decision	Dismissed; settled.
ALJ	Daniel Stralka		

IT WAS MOVED BY COMMISSIONER URLACHER, SECONDED BY COMMISSIONER SCHROEDER, AND BY ROLL CALL VOTE OF 4-0 THE MOTION ADOPTED TO AFFIRM AND ADOPT THE PROPOSALS FOR DECISION OF THE ADMINISTRATIVE LAW JUDGE TO DISMISS THE APPEALS.

CUMMINGS	YES	KREY	YES
SCHROEDER	YES	URLACHER	YES

XIII. RECOGNITION OF CHAIRMAN BATES

ON MOTION OF COMMISSIONER KREY, SECONDED BY COMMISSIONER URLACHER (WHICH WAS JOINED IN BY COMMISSIONERS CUMMINGS AND SCHROEDER), A RESOLUTION WAS MADE AND UNANIMOUSLY PASSED TO RECOGNIZE CHAIRMAN FREDRICK H. BATES’ SERVICE TO THE CIVIL SERVICE COMMISSION. A SUITABLE COPY OF THIS RESOLUTION OF APPRECIATION IS TO BE FRAMED AND PRESENTED TO CHAIRMAN BATES.

XIV. REVIEW OF CLOSED MEETING MINUTES PURSUANT TO OPEN MEETINGS ACT

Assistant Executive Director Barris reported that after receiving no requests from the public and after review of the Closed Meeting Minutes for the last six months, the need for confidentiality still exists as to all those Minutes.

IT WAS MOVED BY COMMISSIONER CUMMINGS, SECONDED BY COMMISSIONER URLACHER, AND THE MOTION ADOPTED 4-0 THAT AFTER REVIEW OF CLOSED MEETING MINUTES PURSUANT TO THE OPEN MEETINGS ACT, THE NEED FOR CONFIDENTIALITY STILL EXISTS AS TO ALL THOSE MINUTES.

XV. APPROVAL OF THE DESTRUCTION OF THE AUDIO VERBATIM RECORDINGS OF CLOSED SESSIONS PRIOR TO JULY 1, 2013 IN ACCORDANCE WITH THE OPEN MEETINGS ACT

Executive Director Stralka explained that the Commission established a practice in 2011 to maintain the verbatim recordings for a minimum of 24 months before destruction.



IT WAS MOVED BY COMMISSIONER CUMMINGS, SECONDED BY COMMISSIONER URLACHER, AND THE MOTION ADOPTED 4-0 THAT THE DESTRUCTION OF THE AUDIO VERBATIM RECORDINGS OF CLOSED SESSIONS PRIOR TO JULY 1, 2013² IS APPROVED IN ACCORDANCE WITH THE OPEN MEETINGS ACT.

XVI. CHAIRMAN REPORT

No report.

XVII. STAFF REPORT

Executive Director Stralka advised the Commissioners that due to Freedom of Information Act administration concerns, the Governor's Office will be requiring each Commissioner to obtain a State email address for official communications. Another option is the Commission will establish a SharePoint site for Commissioners to log into when conducting official business. Commission staff is still researching these options and will provide additional information as it is received.

XVIII. ANNOUNCEMENT OF NEXT MEETING

Announcement was made of the next regular open meeting to be held on Friday, January 15, 2016 at 11:00 a.m. in the Commission's Chicago office.

XIX. MOTION TO ADJOURN

IT WAS MOVED BY COMMISSIONER KREY, SECONDED BY COMMISSIONER SCHROEDER, AND THE MOTION ADOPTED 4-0 TO ADJOURN THE MEETING AT 11:30 AM.

² The Commission voted on July 15, 2011 to maintain verbatim recordings for a minimum of 24 months before destruction.

